

#DOCKET NO.: P-3226.04

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
TRANSMITTAL**

In re Application of: ELSBERRY  
Serial No.: 09/872,698  
Filed: JUNE 1, 2001  
Docket No.: P-3226.04  
For: THERAPEUTIC METHOD FOR TREATMENT OF ALZHEIMER'S DISEASE

Group Art No.: 3763  
Examiner: J. THISELL  
Due Date: OCTOBER 1, 2002 (3 MO.)

CERTIFICATE UNDER 37 CFR §1.8 I hereby certify that the paper(s), as described herein are being deposited with the United States Postal Service, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, or transmitted to the Patent and Trademark Office in accordance with §1.8(d), on this 20th day of September, 2002.

  
\_\_\_\_\_  
Signature  
Stephen W. Bauer

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:


We are transmitting herewith the attached:

X Transmittal (1 page)  
X Amendment Under 37 C.F.R. §1.116 (8 pages)  
X Fax Cover Sheet (1 page)

X Applicant believes that no extension of time is required. However, if an extension of time is required, please consider this a petition therefor to provide for the possibility that applicant has inadvertently overlooked the need for an extension of time.

X Please charge any additional fees or credits to Deposit Account No. 13-2546, which may have been overlooked on this Transmittal with regard to this filing. A duplicate of this transmittal is enclosed.

9-20-02  
Date

  
\_\_\_\_\_  
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**CONFIDENTIAL FACSIMILE TRANSMISSION - LAW DEPARTMENT**

**DATE:** 20 September 2002

**TO:** UNITED STATES PATENT AND TRADEMARK  
OFFICE  
Examiner: J. Thissell  
Art Unit 3763 (Application No.: 09/872,698)

**PHONE:** 703-305-5261

**FAX NUMBER:** 703-872-9302

**NUMBER OF PAGES:** 10  
(including cover)

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FAX RECEIVED

SEP 20 2002

GROUP 3700

**NOTES**

1. Transmittal (1 page)
2. Amendment (8 pages)
3. This Facsimile Cover Sheet (1 page)

Assignee/Inventor: MEDTRONIC, INC./Elsberry

Filed: June 1, 2001

Application No.: 09/872,698

Attorney Docket: P-3226.04 US

**For:** THERAPEUTIC METHOD FOR TREATMENT OF ALZHEIMER'S  
DISEASE

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C

#9/C (NE)  
JR  
PATENT 9-28-02

Docket: P-3226.04

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant(s):	ELSBERRY	)	Examiner:	J. THISSELL
		)		
Serial No.:	09/872,698	)	Group Art Unit:	3763
		)		
Filed:	June 1, 2001	)	2-Mo. Due Date:	September 1, 2002
For:	THERAPEUTIC METHOD FOR TREATMENT OF ALZHEIMER'S DISEASE			

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AMENDMENT UNDER 37 C.F.R. §1.116Assistant Commissioner for Patents  
Washington D.C. 20231

Dear Sir:

In response to the final Office Action dated July 1, 2002, please amend the above-identified application as follows:

In the Claims

Please cancel claims 47-57 and 65 without prejudice or admission.

Please add the following new claims:

- 
2. 66. (New) The method according to claim 44 wherein the step of adjusting the length of the second tubular portion extending from the first tubular portion lumen to conform to the dimensions of a selected site in a hippocampus or lateral ventricle includes:  
determining a desired configuration of catheter by reference to an individual patient.
- C 3 67. (New) The method of claim 66 further comprising the step of implanting the catheter in the patient.
- 4 68. (New) The method of claim 44 further comprising the step of implanting the catheter in the patient.